

Message Text

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TO SECSTATE WASHDC 1177
INFO ALL COE CAPITALS
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UNCLAS SECTION 1 OF 3 STRASBOURG 107/1

USEEC BRUSSELS

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TAGS: SHUM, COE, XG, CSCE.
SUBJECT: COUNCIL OF EUROPE COMMITTEE OF MINISTERS ISSUES HUMAN
RIGHTS DECLARATION

REF: PARIS 13105

1. SUMMARY. THE COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE GAVE APPROVAL APRIL 27 TO A DECLARATION ON HUMAN RIGHTS IN MARKING THE 25TH ANNIVERSARY OF THE ENTRY INTO FORCE OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS AS WELL AS THE 30 TH ANNIVERSARY OF THE UNITED NATIONS S UNIVERSAL DECLARATION OF HUMAN RIGHTS. THE TWENTY FOREIGN MINISTERS FROM THE COUNCIL OF EUROPE MEMBER STATES ALSO DISCUSSED DEVELOPMENTS AT THE UNITED NATIONS AND, IN THE LIGHT OF THE BELGRADE MEETING, THE FOLLOW-UP TO CSCE. END SUMMARY.

2. HUMAN RIGHTS IN EUROPE AND THE WORLD WAS THE MAIN THEME DISCUSSED BY THE COMMITTEE OF MINISTERS OF THE COUNCIL OF EUROPE DURING ITS MEETING IN STRASBOURG APRIL 27 UNDER THE CHAIRMAN-
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SHIP OF LUXEMBOURG PRIME MINISTER(AND FOREIGN MINISTER) GASTON THORN. THE MINISTERS APPROVED THE TEXT OF A DECLARATION ON HUMAN RIGHTS, NOTING THAT THIS YEAR MARKS NOT ONLY THE 25TH ANNIVERSARY OF THE ENTRY INTO FORCE OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS, BUT ALSO THE 30TH ANNIVERSARY OF THE PROCLAMATION OF THE UNIVERSAL DECLARATION OF HUMAN RIGHTS BY THE UNITED NATIONS GENERAL ASSEMBLY. THE DECLARATION REAFFIRMS THE

IMPORTANCE OF THE INSTITUTIONS CREATED BY THE EUROPEAN CONVENTION OF HUMAN RIGHTS IN PROTECTING THOSE RIGHTS AND ALSO REVEALS A WILLINGNESS TO EXTEND THE PRESENT CONCEPT OF INDIVIDUAL HUMAN RIGHTS INTO THE SOCIAL, ECONOMIC, AND CULTURAL FIELDS. THE DOCUMENT ALSO NOTES A CLOSE RELATIONSHIP BETWEEN THE PROTECTION AND ADVANCEMENT OF HUMAN RIGHTS AND THE IMPROVEMENT IN THE WORLD POLITICAL SITUATION.

3. THE TEXT OF THE MINISTERS DECLARATION FOLLOWS. IT DOES NOT DIFFER SIGNIFICANTLY FROM THE PRELIMINARY DRAFT TRANSMITTED REFTEL:

THE MEMBER STATES OF THE COUNCIL OF EUROPE,

(1) MINDFUL OF THEIR ADHERENCE TO THE PRINCIPLES OF PARLIAMENTARY DEMOCRACY AND OF THEIR COMMITMENT, UNDER THE STATUTE OF THE COUNCIL OF EUROPE, TO THE RESPECT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,

(2) CONSIDERING THAT THE EUROPEAN CONVENTION ON HUMAN RIGHTS, WHICH HAS NOW BEEN IN FORCE FOR 25 YEARS, HAS GIVEN CONCRETE EXPRESSION TO THIS COMMITMENT BY PROVIDING FOR A COLLECTIVE GUARANTEE OF A NUMBER OF RIGHTS AFFIRMED IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS PROCLAIMED BY THE UNITED NATIONS GENERAL ASSEMBLY 30 YEARS AGO, PARTICULARLY THROUGH THE CONVENTION S CONTROL MECHANISM WHICH IS BASED ON OBJECTIVE CRITERIA
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AND ENTRUSTED TO INDEPENDENT INSTITUTIONS,

(3) CONSIDERING THAT, BY VIRTUE OF THAT EUROPEAN CONVENTION, EFFECTIVE INTERNATIONAL PROTECTION IS ACCORDED TO ANY PERSON WHO COMES UNDER THE JURISDICTION OF THE CONTRACTING STATES, WHICH IMPLIES PROTECTION IRRESPECTIVE OF NATIONALITY OR PLACE OF RESIDENCE,

(4) IN THE CONVICTION THAT THE PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, BOTH AT NATIONAL AND INTERNATIONAL LEVEL, IS A CONTINUING TASK AND THAT THE INDIVIDUAL RIGHTS ARISING OUT OF MAN S HUMAN DIGNITY CONSERVE THEIR PRIME VALUE AND IMPORTANCE THROUGHOUT THE CHANGES AND EVOLUTION OF SOCIETY,

(5) BELIEVING THAT IT IS OF PARAMOUNT IMPORTANCE THAT THE INSTITUTIONS ESTABLISHED BY THE EUROPEAN CONVENTION ON HUMAN RIGHTS REMAIN AN EFFECTIVE INSTRUMENT FOR ENSURING THE OBSERVANCE OF THE ENGAGEMENTS WHICH RESULT FROM IT,

(6) RECALLING, MOREOVER, THAT WITHIN THE COUNCIL OF EUROPE PROPOSALS ARE UNDER CONSIDERATION TO EXTEND THE LISTS OF RIGHTS OF THE INDIVIDUAL TO BE PROTECTED BY THE EUROPEAN

CONVENTION ON HUMAN RIGHTS AND OTHER RELEVANT EUROPEAN CONVENTIONS, INCLUDING RIGHTS IN THE SOCIAL, ECONOMIC AND CULTURAL FIELDS,

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(7) NOTING IN THIS RESPECT THE INITIAL CONTRIBUTION THAT THE EUROPEAN SOCIAL CHARTER HAS MADE IN THE FIELD OF SOCIAL AND ECONOMIC RIGHTS AND BEING PREPARED TO CONSIDER THE POSSIBILITY OF FURTHER ENLARGING IN THE FRAMEWORK OF THE COUNCIL OF EUROPE THE PROTECTION OF THOSE RIGHTS,

(8) AWARE OF THE CLOSE INTER-RELATIONSHIP BETWEEN THE PROTECTION AND ADVANCEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS WITHIN STATES, AND THE STRENGTHENING OF JUSTICE AND PEACE IN THE WORLD,

I. REAFFIRM THE IMPORTANCE OF THE ROLE OF THE EUROPEAN CONVENTION ON HUMAN RIGHTS IN THE INTERNATIONAL PROTECTION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, AND THEIR EFFECTIVE EXERCISE, IN EUROPE,

II. DECIDE TO GIVE PRIORITY TO THE WORK UNDERTAKEN IN THE COUNCIL OF EUROPE OF EXPLORING THE POSSIBILITY OF EXTENDING THE LISTS OF RIGHTS OF THE INDIVIDUAL, NOTABLY RIGHTS IN THE SOCIAL, ECONOMIC AND CULTURAL FIELDS, WHICH SHOULD BE PROTECTED.

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TED BY EUROPEAN CONVENTIONS OR ANY OTHER APPROPRIATE MEANS,

III. RESOLVE TO PLAY AN ACTIVE PART IN THE PROTECTION AND FURTHER REALISATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS INCLUDING, IN A WIDER CONCEPT, THOSE IN THE SOCIAL, ECONOMIC AND CULTURAL FIELDS, THUS CONTRIBUTING TO THE STRENGTHENING OF WORLD PEACE AND SECURITY AND INTERNATIONAL COOPERATION AS WELL AS TO THE ECONOMIC AND SOCIAL DEVELOPMENT OF ALL PEOPLES. END TEXT.

4. DURING A GENERAL REVIEW OF THE RESULTS OF THE 32ND UNITED NATIONS GENERAL ASSEMBLY THE MINISTERS NOTED INCREASING COOPERATION AMONG THE WESTERN EUROPEAN COUNTRIES WITHIN THE UNITED NATIONS NOT ONLY AMONG THE NINE OF THE COMMUNITIES BUT ALSO AMONG THE TWENTY OF THE COUNCIL. THEY ALSO NOTED THE CLOSE COOPERATION AMONG ALL COUNTRIES THAT SHARE THE SAME APPROACH TO HUMAN RIGHTS. IN PREPARING FOR THE 33RD GENERAL ASSEMBLY IT WAS DECIDED THAT THE MINISTERS DEPUTIES WHO ARE POSTED IN STRASBOURG WOULD HOLD A FURTHER EXCHANGE OF VIEWS IN STRASBOURG , WITH GOVERNMENT REPRESENTATIVES IN ATTENDANCE, BEFORE THE OPENING OF THE SEPTEMBER SESSION.

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5. FOLLOWING AN INTRODUCTORY STATEMENT BY MR. K.B. ANDERSEN, FOREIGN MINISTER OF DENMARK, IN HIS CAPACITY AS PRESIDENT-IN-OFFICE OF THE COUNCIL OF MINISTERS OF THE EUROPEAN COMMUNITIES, ON THE CSCE FOLLOW-UP MEETING IN BELGRADE, THE MINISTERS EVALUATED THE POLITICAL CONSEQUENCES OF THE MEETING. THERE WAS BROAD GENERAL AGREEMENT THAT THE BELGRADE MEETING SHOULD BE SEEN IN THE CONTEXT OF A DYNAMIC AND EVOLVING PROCESS WHICH ITSELF CONSTITUTED A PART OF DETENTE AND WHICH ENTAILED THE PATIENT PURSUIT OF LONG-TERM OBJECTIVES. IN THAT PERSPECTIVE IT WAS IMPORTANT TO NOTE THAT THE HELSINKI FINAL ACT HAD NOT BEEN CHALLENGED AT BELGRADE. NOTWITHSTANDING ITS SHORTCOMINGS THE CONCLUDING DOCUMENT OF THE MEETING HAD REAFFIRMED THE HELSINKI COMMITMENT OF ALL SIGNATORY STATES TO IMPLEMENT IN FULL ALL THE PROVISIONS OF THE FINAL ACT, INCLUDING THOSE RELATING TO HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS. MINISTERS AGREED THAT IT WOULD BE USEFUL TO CONTINUE THEIR DISCUSSIONS ON THIS SUBJECT IN THE FRAMEWORK OF THE COUNCIL OF EUROPE AND TO INTENSIFY SUCH EXCHANGES OF VIEWS DURING THE PREPARATIONS FOR THE MADRID MEETING. IN THE MEANTIME, THE MINISTERS DEPUTIES IN STRASBOURG, WITH THE PARTICIPATION OF EXPERTS, WILL

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CONTINUE THESE EXCHANGES OF VIEWS.MOHLER

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